

## Chapter 7-6 Parking Infractions

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### 7-6-1 Driver and Owner Liable for Violation.

No driver shall stop or park a vehicle and no owner of a vehicle shall fail to prevent the stopping or parking of that vehicle in violation of any of the prohibitions or requirements of this chapter; both the owner and the driver are jointly and severally liable for any such violation. It is a specific defense to the liability of the owner that the vehicle was parked or stopped by a thief at the time of the violation.

### 7-6-2 Parking Penalties.

Violations of any of the provisions of this chapter are traffic infractions. Every person who is convicted of, who admits liability for, or against whom a judgment is entered for such a traffic infraction shall be fined or penalized according to the following schedule:

(a) Section 7-6-22, "Parking in Handicapped Space Prohibited," B.R.C. 1981: \$112.00.

(b) Paragraph 7-6-13(b)(8) (concerning parking in a work zone or closed street), Paragraph 7-6-23(a)(5) (concerning parking with expired license plates), B.R.C. 1981: \$50.00.

(c) Section 7-6-21, "Parking in Loading Zone Prohibited," and Subsection 7-6-27(d) (concerning parks and open space parking permits), B.R.C. 1981: \$25.00.

(d) Sections 7-6-14, "Unauthorized Parking Prohibited," and 7-6-15, "Overtime Parking, Signs," B.R.C. 1981: \$20.00.

(e) Sections 7-6-16, "Overtime Parking, Meters," 7-6-17, "Time Limit, Meter Parking," and 7-6-20, "Parking for More Than Seventy-Two Hours Prohibited," B.R.C. 1981: \$15.00.

(f) All other sections for which no amount is specifically provided: \$15.00.

(g) Where specific penalties are otherwise provided, those penalties apply.

Ordinance Nos. 4817 (1984); 4903 (1985); 5082 (1987); 5425 (1991); 5546 (1993); 5686 (1994); 5869 (1997); 5888 (1997); 7105 (2000); 7120 (2001); 7190 (2002); 7294 (2003).

### 7-6-3 Late Fee.

Whenever enforcement is initiated by issuance of a parking ticket, and the fine or penalty is not received by the municipal court or the owner or driver does not appear in the municipal court to set a hearing on the allegation within fourteen days of the date of issue, the fine or penalty shall be increased by a late fee of \$15.00.

Ordinance Nos. 5686 (1994); 5888 (1997).

### 7-6-4 Separate Infractions.

(a) For each overtime parking infraction, a new and separate infraction occurs when a vehicle remains illegally parked for more than the maximum allowable time for parking after the issuance of the preceding parking ticket.

(b) For all other parking infractions, a new and separate infraction occurs when a vehicle remains illegally parked for more than two hours after the issuance of the preceding parking ticket.

### 7-6-5 Initiation.

(a) Enforcement of the provisions of this chapter may be initiated in any of the following ways:

(1) A parking ticket may be served by leaving it under the windshield wiper or otherwise attached to the vehicle, or handing it to the driver or owner if the driver or owner is present, or mailing it by first class or certified mail to the address of the owner of the vehicle as shown in the motor vehicle ownership records of the state of registration;

(2) A summons and complaint may be served on the driver of the vehicle as provided in the Colorado Municipal Court Rules of Civil Procedure;

(3) A summons and complaint may be served on the owner of the vehicle as provided in the Colorado Municipal Court Rules of Civil Procedure.

(b) No more than one fine or penalty may be collected for each infraction.

Ordinance No. 5617 (1994).

#### 7-6-6 Regulations Not Exclusive.

No traffic control sign imposing a time limit on parking relieves any person from the duty of observing other and more restrictive regulations prohibiting or limiting the stopping or parking of vehicles in specified places or at specified times.

#### 7-6-7 Misparking Vehicle of Other Prohibited.

No person shall move any vehicle not lawfully under such person's control into any area where parking or stopping is prohibited, leave such vehicle there, or leave such vehicle otherwise improperly parked. The penalty for violation of this section is a fine of \$100.00.

#### 7-6-8 Parked on Wrong Side of Street.

On a two-way street vehicles shall be parked on the right-hand side of the street facing in the direction of travel. On a one-way street vehicles shall be parked facing in the direction of travel.

#### 7-6-9 Parked Too Far from Curb.

Except where angle parking is permitted, vehicles shall be parked only in the position specified below:

(a) On a two-way street all vehicles with four or more wheels shall be parked with the right-hand wheels within twelve inches of the right-hand curb. On a one-way street vehicles parked on the right shall be parked in compliance with the rule for two-way streets, and vehicles parked on the left shall be parked with the left-hand wheels parallel to and within twelve inches of the left-hand curb.

(b) Vehicles with three or fewer wheels shall be parked with at least one wheel in compliance with subsection (a) of this section, and no part of the vehicle shall be more than six feet from the appropriate curb.

(c) In no case shall any vehicle be double parked.

#### 7-6-10 Obedience to Angle Parking Rules.

(a) Upon any portion of a street where angle parking is indicated by a traffic control device, no vehicle shall be parked other than at the angle to the curb so indicated and with the front of the vehicle facing the curb and within twelve inches of it.

(b) No vehicle shall be parked in an angle parking zone if it exceeds twenty feet in length or eight feet in width, including cargo or load.

#### 7-6-11 Right Angle Parking Permit.

Notwithstanding the provisions of this chapter, vehicles may be parked at right angles to the curb for the purpose of loading or unloading merchandise if in accordance with a permit issued by the city manager. Upon application therefor in such reasonable form as the manager requires, the manager shall issue such a permit if the manager finds that no reasonable alternative exists and that traffic on the street, including sidewalks, will not be unreasonably obstructed considering the frequency, duration, and nature of the parking and of the traffic in the area. The manager may place such reasonable restrictions on the permit as in the manager's discretion are deemed appropriate to minimize interference with traffic.

#### 7-6-12 Unattended Motor Vehicle.

(a) No motor vehicle shall be stopped unattended without the engine being stopped, the ignition being locked, and the key being removed from the ignition. But this subsection does not apply to commercial delivery vehicles licensed as trucks by the Colorado Department of Revenue.

(b) A driver who stops and leaves a vehicle unattended shall set the brake thereon in an effective manner. If the vehicle stands on any grade, such driver shall also turn the front wheels to the curb in such a manner as to prevent the vehicle from rolling away. The penalty for violation of any provision of this subsection is a fine of not less than \$10.00 nor more than \$100.00.

## 7-6-13 Stopping or Parking Prohibited in Specified Places.

### (a) No vehicle may be stopped or parked:

- (1) On a sidewalk or within the sidewalk area. For the purposes of this section, the far edge of a sidewalk parallel and adjacent to a roadway is presumed to be the property line;
- (2) Within an intersection;
- (3) On a crosswalk;
- (4) On a roadway in such a manner or under such conditions as to leave available fewer than ten feet of width of the roadway of an alley or seven feet from the centerline of a street for the free movement of vehicular traffic;
- (5) Upon any bridge or other elevated structure upon a street or within a street tunnel or underpass;
- (6) On or within five feet of any railroad tracks;
- (7) On any street with two or more lanes for moving traffic in both directions or on any state highway;
- (8) In the area between the roadways of a divided street, including crossovers;
- (9) On a bike lane or path;
- (10) In a clearly marked fire lane;
- (11) At any place on a street where a traffic control sign prohibits stopping; or
- (12) Within the sidewalk area, except that a single vehicle may be stopped or parked at a right angle to the street within the sidewalk area on a paved driveway connecting a curb cut with an area of permitted off-street parking of a detached dwelling unit if no part of such vehicle is over or in the street or sidewalk and the driver has the express or implied permission of an occupant of the dwelling served by such driveway so to park. This exception applies only to driveways which were in existence on September 1, 1988. For the purposes of this subsection, the far edge of a sidewalk parallel and adjacent to a roadway is the property line.

### (b) No vehicle may be parked:

- (1) On a roadway in or within five feet of a public or private driveway or junction;
- (2) When a fire hydrant is within ten feet of the curb, on a roadway within five feet of that point on the curb closest to the hydrant;
- (3) On a roadway within twenty feet of a crosswalk or intersection;
- (4) On a roadway within thirty feet of any flashing beacon or signal, stop sign, yield sign, or traffic control signal located at the side of the roadway;
- (5) Within fifty feet of the nearest rail of a railroad grade crossing;
- (6) In a bus stop;
- (7) At any place on a street where a traffic control sign prohibits parking; or
- (8) In a manner that obstructs the commencement or ongoing operation of a public construction, maintenance, or repair project, or a street closure, after seventy-two hours' advance notice of the parking prohibition and the time it is effective has been conspicuously posted and reasonable efforts have been made to maintain notice on the site.

(c) The provisions of this section are limited or modified by and are expressly subject to any parking meter, pay station, or traffic control device regulating stopping or parking a vehicle.

<sup>1</sup>This exception to a parking prohibition has no effect on off-street parking requirements found in the land use title of this code, e.g., Subsection 9-3.3-7(b), B.R.C. 1981 (required parking may not be within front yard setback and must be on lot).

Ordinance Nos. 5241 (1989); 5920 (1997); 7190 (2002); 7294 (2003).

## 7-6-14 Unauthorized Parking Prohibited.

(a) No vehicle shall be parked upon any public or private property without the express or implied consent of the owner, lessee, or occupant of the property or for a time period in excess of or in a manner other than that for which consent was given by such person.

(b) For the purposes of this section, there is an implied consent to park in areas set aside for parking on any private or public property except on property used as a single-family residence, but such implied consent is deemed revoked with respect to any person who has parked a vehicle or has allowed a vehicle to remain parked in disregard of or contrary to the direction or intended function of any of the following:

(1) A parking attendant, a card or coin-operated gate, or any other means calculated to bar or otherwise control entrance onto or use of the property by unauthorized vehicles;

(2) Parking meters or pay stations located on the property;

(3) Signs or pavement markings located on the property indicating a limitation or prohibition on parking thereupon or that a parking fee must be paid, if the signs or markings:

(A) Clearly indicate, in not less than one-inch-high lettering on a sign or twelve-inch-high lettering or symbols on the pavement, the limitation, prohibition, or fee schedule and method of payment;

(B) Are located in or near the area where the limitation, prohibition, or fee applies; and

(C) Are located so as to be seen by an ordinarily observant person; or

(4) Any other method of express revocation of implied consent communicated directly to the owner or driver of the vehicle by the owner of the property or the owner's authorized agent.

(c) No complaint shall issue for a violation of this section unless signed by the owner or lessee of the entire real property or any agent authorized by the owner or lessee.

(d) This section does not apply to parking on public streets or to parking regulated by Sections 7-6-13, "Stopping or Parking Prohibited in Specified Places," 7-6-15, "Overtime Parking, Signs," 7-6-16, "Overtime Parking, Meters," 7-6-17, "Time Limit, Meter Parking," 7-6-18, "Parking in Space Required," 7-6-22, "Parking in Handicapped Space Prohibited," or 7-6-25, "Parking in City Employee Lot Prohibited," B.R.C. 1981.

Ordinance Nos. 5546 (1993); 7294 (2003).

## 7-6-15 Overtime Parking, Signs.

(a) When a traffic control sign is in place giving notice thereof, no vehicle shall remain parked for longer than the time designated thereon on any day except Sundays and holidays.

(b) When a traffic control sign is in place giving notice thereof, within a neighborhood permit parking zone established pursuant to Section 2-2-15, "Neighborhood Permit Parking Zones," B.R.C. 1981, no vehicle shall remain parked for longer than the time specified on the sign unless a valid permit for that zone, issued pursuant to Chapter 4-23, "Neighborhood Parking Zone Permits," B.R.C. 1981, is continuously displayed in the proper position on such vehicle. In addition:

(1) If the sign limits parking within the zone to no more than a specified length of time within the zone during any specified period of time, then no vehicle shall be parked anywhere within the zone in violation of that restriction without a proper permit properly displayed.

(2) If the sign prohibits parking within the zone, then no vehicle shall be parked within the zone without a proper permit properly displayed.

Ordinance Nos. 4966 (1986); 5720 (1995); 5869 (1997).

## 7-6-16 Overtime Parking, Meters.

(a) No vehicle shall be parked in a space regulated by a parking meter when no unexpired time is displayed on the meter except during those times indicated on the meter when no time need be displayed or when the vehicle is displaying a valid handicapped parking permit in accordance with Subsection 2-2-11(f), B.R.C. 1981, and regulations issued

thereunder.

(b) No vehicle shall be parked in a space regulated by a pay station except during the time purchased from the pay station, except during those times indicated on the pay station when no time need be displayed or when the vehicle is displaying a valid handicapped parking permit in accordance with Subsection 2-2-11(f), B.R.C. 1981, and regulations issued thereunder. If the pay station requires that a receipt be displayed on the vehicle, no vehicle shall be parked in a space regulated by a pay station without displaying a receipt showing unexpired time on the dashboard of the vehicle, face up, in a position where it may readily be read from outside the vehicle.

Ordinance Nos. 5233 (1989); 7294 (2003).

#### 7-6-17 Time Limit, Meter Parking.

(a) No vehicle shall remain parked in a space regulated by a parking meter for longer than the maximum time that can be purchased on the meter at one time, except during those times indicated on the meter when no time need be displayed.

(b) No vehicle shall remain parked in a space regulated by a pay station for longer than the maximum time that can be purchased from the station at one time, except during those times indicated on the station for which payment is not required.

Ordinance No. 7294 (2003).

#### 7-6-18 Parking in Space Required.

Every vehicle parked in a metered parking zone, a space governed by a pay station, or in a parking lot of a public authority shall be parked entirely within one individual parking space as indicated by traffic control markings.

Ordinance No. 7294 (2003).

#### 7-6-19 Applicability of Certain Parking Limits.

The provisions of Sections 7-6-15, "Overtime Parking, Signs," 7-6-16, "Overtime Parking, Meters," 7-6-17, "Time Limit, Meter Parking," and 7-6-18, "Parking in Space Required," B.R.C. 1981, apply to parking in lots owned or operated by the city, including those of any general improvement district established pursuant to Chapter 8-4, "General Improvement Districts," B.R.C. 1981, and to metered parking, pay station regulated parking, and free but time-limited parking on streets.

Ordinance Nos. 5039 (1987); 5686 (1994); 7294 (2003).

#### 7-6-20 Parking for More than Seventy-Two Hours Prohibited.

(a) No vehicle shall be parked upon any street for more than seventy-two hours without being moved or for the principal purpose of storage for more than seventy-two hours.

(b) Proof that the vehicle's odometer shows movement of no more than two tenths of a mile during a period of at least seventy-two hours shall constitute prima facie evidence of violation of this section.

Ordinance No. 5686 (1994).

#### 7-6-21 Parking in Loading Zone Prohibited.

(a) No vehicle shall be parked in a loading zone for any purpose or period of time except:

(1) In a passenger loading zone, for the visible loading or unloading of passengers for a period not in any case to exceed three minutes; or

(2) In any other loading zone, for the visible unloading and delivery or pick-up and loading of property for a period not in any case to exceed thirty minutes, or such shorter time indicated by a traffic control sign, or loading or unloading of passengers for a period not in any case to exceed three minutes.

(b) All alleys in a district zoned TB, CB, RB, or I are a loading zone. On all other streets, traffic control signs indicate loading zones.

Ordinance No. 5686 (1994).

#### 7-6-22 Parking in Handicapped Space Prohibited.

(a) No vehicle shall be parked in a space designated for handicapped parking by any sign or pavement marking using the term "handicapped," displaying a wheelchair symbol, or otherwise reasonably indicating designation for handicapped parking, unless the vehicle displays a placard or license plate issued by the Colorado Department of Revenue pursuant to Section 42-4-1208, C.R.S., as amended, based upon a finding that the individual has an impairment that substantially limits such person's ability to move from place to place.

(b) This section applies to all spaces designated for handicapped parking on public property and on private property. The designation of such spaces by a private property owner or lessee has the same effect as designation by public authority, and operates as a waiver of any objection to enforcement by peace officers.

Ordinance No. 5848 (1996).

#### 7-6-23 Parking for Certain Purposes Prohibited.

(a) No vehicle shall be parked upon any street:

(1) For the principal purpose of displaying such vehicle for sale or displaying advertising;

(2) For selling merchandise from such vehicle except in accordance with the terms of a permit issued under Section 4-18-2, "Sidewalk Sale Permit Required," B.R.C. 1981;

(3) For greasing or repairing such vehicle, except repairs necessitated by an emergency;

(4) While inoperable; or

(5) On property of a public authority or private property open to the use of the public for parking:

(A) Without displaying a valid, current license plate recognized under the laws of the State of Colorado, and

(B) Without displaying the license plate or plates in the location or locations required by the laws of the state, territory, or country which issued the license plate or plates displayed.

(b) No vehicle shall be parked upon any private property within any required yard abutting a street. "Required yard" means the minimum front yard setback for principal buildings, the minimum side yard setback from a street for all buildings, and the minimum front and side yard setbacks from major roads set forth in Section 9-3.2-1, "Schedule of Bulk Requirements," B.R.C. 1981.

(1) As an exception to this prohibition, within districts zoned RR-E, RR1, ER-E, or LR-E, two vehicles may be parked on a paved or improved driveway which serves as access to required off-street parking provided on the lot in accordance with Sections 9-3.3-7, "Parking," and 9-3.2-1, "Schedule of Bulk Requirements," B.R.C. 1981.

(2) This subsection does not apply to recreational vehicles parked or stored in accordance with Subsection 9-3.3-7(f), B.R.C. 1981.

Ordinance Nos. 4817 (1984); 5039 (1987); 5546 (1993); 5660 (1994); 5930 (1997); 7294 (2003).

#### 7-6-24 All-Night Parking of Truck Prohibited.

No vehicle with a gross vehicle weight of six thousand pounds or more shall be parked on any street in any district of the city zoned RR, RR1, ER, LR, MR, MXR, HR, HZ, MH, P, or A for more than thirty minutes between 8:00 p.m. and 7:00 a.m.. The penalty for a first violation of this section is \$10.00. The penalty for a second violation of this section by the same vehicle or the same registered owner of a vehicle is \$20.00. The penalty for a third and any subsequent violation of this section by the same vehicle or the same registered owner of a vehicle is \$30.00.

Ordinance Nos. 5187 (1989); 5930 (1997).

#### 7-6-25 Parking in City Employee Lot Prohibited.

(a) No vehicle shall be parked in a city employee parking lot except one bearing a valid parking sticker or parking tag issued by the city manager and in accordance with the manager's administrative instructions or one owned by the city.

(b) "City employee parking lot" means any lot designated by sign as city employee parking.

Ordinance No. 5686 (1994).

#### 7-6-26 Hooded Parking Meter.

(a) No person shall place any hood, sack, or covering or any sign restricting use of any parking meter head over, upon, or around any parking meter head, remove any parking meter hood or sign, or otherwise indicate or show that the parking regulations of the city are suspended, without first obtaining a permit therefor from the city manager under Section 4-18-8, "Parking Meter Hood and Sign Permits," B.R.C. 1981. The penalty for violation of any provision of this subsection is a fine of not less than \$10.00 nor more than \$100.00.

(b) No vehicle shall be parked at a hooded or signed parking meter except one authorized under a permit issued under Section 4-18-8, "Parking Meter Hood and Sign Permits," B.R.C. 1981.

#### 7-6-27 Special Regulations for Parking in Parks and Open Space.

No vehicle shall be parked in any park, parkway, recreation area, or open space:

(a) In a manner that blocks or impedes travel on or into a designated fire road or other emergency access;

(b) Contrary to posted signs;

(c) Between 11:00 p.m. and 5:00 a.m. in open space and mountain parks or 12:00 midnight and 5:00 a.m. in other parks, parkways, recreation areas, and the Panorama Point or Halfway House parking lots; or

(d) In an area for which a parking permit is required without properly displaying a valid permit in accordance with Chapter 4-24, "Parks and Open Space Parking Permits," B.R.C. 1981.

Ordinance No. 5546 (1993).

#### 7-6-28 Bicycle Parking.

(a) No person shall park a bicycle or electric assisted bicycle in such a way as to:

(1) Cause an obstruction to or impede the flow of traffic or of pedestrians on public or private sidewalks;

(2) Hinder or restrict access to handrails or ramps;

(3) Lock the bicycle to a tree, parking meter post or pay station serving a space designated for handicapped parking, or fire hydrant;

(4) Park on a roadway except in an area designated for bicycle parking; or

(5) Leave the bicycle locked to a pole or post owned or leased by a public authority for more than twelve consecutive hours.

(b) Persons stopping or parking bicycles or electric assisted bicycles shall obey all the provisions of this chapter regulating those activities on roadways, but are exempt from other provisions of this chapter unless specifically mentioned, notwithstanding their status as vehicles.

Ordinance Nos. 5546 (1993); 5920 (1997); 7021 (1999); 7294 (2003).

#### 7-6-29 Parking Bicycle on the Mall.

No person shall lock, attach, lean, or support any bicycle or electric assisted bicycle on any structure, apparatus, display, plant life, or building on the mall, or any building on the perimeter of the mall, except bicycle racks provided for such use.

Ordinance Nos. 5546 (1993); 7021 (1999).

[Return to Title 7 Menu](#)